

Issued: September 25, 2018

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
WEDNESDAY, SEPTEMBER 5, 2018
LEGISLATIVE CHAMBER, ROOM 314
TOWN HALL, WEST HARTFORD, CT 06107**

DRAFT MINUTES

ATTENDANCE: Chair: Kevin Ahern; Vice Chair: Kevin Prestage; Commissioners: Michelle Maresca (left at 9:00 P.M.), Liz Gillette; Alternates: Gordon Binkhorst; Ryan Langan; Staff: Catherine Dorau, Associate Planner

ABSENT: Comissioner: John O'Donnell; Alternate: Andrea Gomes; Staff: Todd Dumais, Town Planner

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.

MINUTES:

1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Monday, August 6, 2018
Motion/Binkhorst; Second/Maresca; Vote 5-0 (Ahern, Prestage, Maresca, Gillette, Binkhorst)

COMMUNICATIONS:

2.

NEW BUSINESS:

3. **847 South Quaker Lane-** Application (SUP #619-R1-18) of the Town of West Hartford (Robert Palmer, Applicant) requesting approval of a Special Use Permit for an educational use at the building on the southeast portion of Beachland Park. (Submitted for TPZ receipt on September 5, 2018. Suggest required public hearing be scheduled for October 1, 2018.)

The TPZ acted by **unanimous vote (5 -0)** (*Motion/Maresca; Second/Gillette*) to schedule this matter for public hearing on **Monday, October 1, 2018 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**



TOWN OF WEST HARTFORD

TOWN OF WEST HARTFORD
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OLD BUSINESS:

4. **139 North Main Street (aka 137 North Main Street)-** Application (SUP #1327) of the American School for the Deaf (Jeffrey Bravin, Applicant) requesting approval of a Special Use Permit for revisions to an existing playground on the North side of campus. (Submitted for TPZ receipt on June 4, 2018. Required public hearing scheduled for July 9, 2018. Public hearing opened and immediately continued to August 6, 2018. At the request of the applicant, the public hearing continued again to September 5, 2018.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (*Motion/Prestage; Second/Binkhorst*) to **APPROVE** the Special Use Permit application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by September 2020 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
3. The sound feature on the “NEOS” playground equipment is to be disabled.
4. A maintenance plan is to be developed to the North of the playground

5. **701 Farmington Avenue**- Application (SUP #1259-LB-18) of the Educational Playcare (Congregation Beth Israel, R.O.), requesting TPZ review of compliance with conditions of SUP #1259-R2-16 approved on July 6, 2016 to increase capacity at the daycare facility from one hundred seventy-seven (177) students to one hundred ninety-seven (197) students. (Submitted for TPZ receipt on August 6, 2018. Required public hearing scheduled for September 5, 2018.)

After a brief review of the application and its related exhibits and other consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (*Motion/Gillette; Second/Langan*) to determine that the Special Use Permit did not require additional conditions of approval.

6. **203 Tunxis Road**- Application (IWW #1085) of James and Barbara Carter (R.O.), requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant proposes to replace an existing platform/dock along the edge of Woodridge Lake. (Submitted for IWWA receipt on August 6, 2018. Determined to be potentially significant and scheduled for public hearing on September 5, 2018.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ/IWWA acted by unanimous vote (5-0) (*Motion/Gillette; Second/Binkhorst*) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

203 TUNXIS ROAD
INLAND WETLAND APPLICATION IWW #1085
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **203 Tunxis Road** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1085** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **203 Tunxis Road.**

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Prior to the start of any site disturbance, all sediment and erosion controls shall be installed.
- 4.) Helical piles are to be used and shall be shown on the plans.
- 5.) The sequence of construction shall be outlined on the final plan set.
- 6.) No vehicles other than necessary for the helical pile equipment shall be used along the access path to the pond and site.
- 7.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

7. **37 Buena Vista Road**- Application (IWW #1086) of Town of West Hartford, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant proposes to perform stormwater infrastructure improvements in various areas of the Buena Vista Golf Course to address erosion at three (3) outlets and an area west of Tunxis Road. (Submitted for IWWA receipt on August 6, 2018. Determined to be potentially significant and scheduled for public hearing on September 5, 2018.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ/IWWA acted by unanimous vote (5-0) (Motion/Binkhorst; Second/Langan) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

37 BUENVA VISTA ROAD
INLAND WETLAND APPLICATION IWW #1086
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **37 Buena Vista Road** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1086** should be

approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.

- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **37 Buena Vista Road**.

This permit is issued and made subject to the following conditions:

- 8.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 9.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 10.) Prior to the start of any site disturbance, all sediment and erosion controls shall be installed.
- 11.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

8. **1 Abrahms Boulevard**- Application (IWW #1087) of the Mandell Greater Hartford Jewish Community Center (Hebrew Home for Health and Rehabilitation, LLC, R.O.), requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an onsite soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on August 6, 2018. Required public hearing scheduled for September 5, 2018.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Binkhorst) to **APPROVE** the subject application. During its discussion and deliberation on this matter, the Agency made the following findings:

1. **The proposed amendment has been prepared by a certified soil scientist and is based on an on-site soil survey following approved wetland identification techniques.**
2. **A mylar of the approved wetland map amendment shall be provided to the Town Planning Office for filing in the wetland map files. The approved amendment shall also**

be submitted in electronic format for inclusion into the Town's Geographic Information System.

9. **1 Abrahms Boulevard**- Application (IWW #1088) of the Mandell Greater Hartford Jewish Community Center (Hebrew Home for Health and Rehabilitation, LLC, R.O.), requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant proposes to construct an approximately 2,400 s.f. nature center located between the existing Jonathan's Dream Playground and the campus's north entrance off Abrahms Boulevard. (Submitted for IWWA receipt on August 6, 2018. Determined to be potentially significant and scheduled for public hearing on September 5, 2018.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ/IWWA acted by unanimous vote (5-0) (Motion/Gillette; Second/Langan) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

1 ABRAHMS BOULEVARD
INLAND WETLAND APPLICATION IWW #1088
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1 Abrahms Boulevard** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1088** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **1 Abrahms Boulevard**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.

- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Prior to the start of any site disturbance, all sediment and erosion controls shall be installed.
- 4.) The final plan set shall include the Wetland Enhancement Plantings as presented at the public hearing.
- 5.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

10. **1 Abrahms Boulevard**- Application (SUP #1328) of the Mandell Greater Hartford Jewish Community Center (Hebrew Home for Health and Rehabilitation, LLC, R.O.), requesting approval of a Special Use Permit to construct an approximately 2,400 s.f. nature center located between the existing Jonathan's Dream Playground and the campus's north entrance off Abrahms Boulevard. (Submitted for TPZ receipt on August 6, 2018. Required public hearing scheduled for September 5, 2018.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (*Motion/Binkhorst; Second/Langan*) to **APPROVE** the Special Use Permit application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - d. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.

2. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by September 2020 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.

TOWN COUNCIL REFERRALS:

11. **643 Prospect Avenue-** Application (SDD #11-R1-18) on behalf of Downstream Properties, LLC, requesting modifications to the existing conditions of approval for Special Development District #46, located at 643 Prospect Avenue. The requested amendments seek to allow the existing third floor space to be used for office; to allow professional office use within the SDD and for minor architectural amendments to the façade of the building. (Town Council Receipt on August 14, 2018 and scheduled for public hearing on September 25, 2018. TPZ receipt on September 5, 2018.)

After a detailed review of the proposed application and its related exhibits and after consideration of staff technical comments, the TPZ acted by unanimous vote (5-0) (Motion/Prestage; Second/Gillette) **to RECOMMEND APPROVAL** of the subject application. The Town Plan and Zoning Commission notes that the request is consistent with the Plan of Conservation and Development.

TOWN PLANNER'S REPORT:

12. Establishment of a Special Committee of the TPZ for the Plan of Conservation and Development Update.

INFORMATION ITEMS:

REMINDER OF FUTURE TPZ REGULAR AND SPECIAL MEETINGS:

- TPZ Regular Meeting, Monday, October 1, 2018 @ 7:00 P.M.
- TPZ Regular Meeting, Wednesday, November 7, 2018 @ 7:00 P.M.
- TPZ Regular Meeting, Monday, December 3, 2018 @ 7:00 P.M.

“Any individual with a disability who needs special assistance to participate in the meeting should contact Suzanne Oslander, Department of Social Services, 860.561.7580, seven days prior to the meeting.”

U: shareddocs/TPZ/Minutes/2018/September 5 final minutes